In the Order of April 1, 2008 (Docket #19), this Court gave notice that "this action will be dismissed without prejudice as against defendant Vip Solutions GmbH, if service is not effectuated by April 11, 2008 and an affidavit of service filed by April 16, 2008." To date, there has been no affidavit or other proof of service upon Vip Solutions, GmbH and, accordingly, the action is dismissed without prejudice as to it.

SO ORDERED.

P. Kevin Castel United States District Judge

Dated: New York, New York April 17, 2008

P. KEVIN CASTEL, U.S.D.J.